



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, August 1, 2017

5:30 PM

City Council Chambers

630 E. Hopkins

- I. Call To Order
- II. Roll Call
- III. Invocation
- IV. Pledges Of Allegiance - United States And Texas

EXECUTIVE SESSION

PRESENTATIONS

- 1. Receive a presentation providing an update on roadway negotiations with Texas Department of Transportation including Municipal Maintenance Agreement, Turn Back Program and Access Management, and provide direction to Staff.
- 2. Receive a presentation from the Historic Preservation Commission Chair regarding the 2016-2017 Annual Report of the Historic Preservation Commission and provide direction.

6:00 PM

- V. 30 Minute Citizen Comment Period

CONSENT AGENDA

- 3. Consider approval, by motion, of the following meeting Minutes:
 - A) July 5, 2017 - Regular Meeting Minutes
 - B) July 14, 2017 - Special Meeting Minutes
 - C) July 15, 2017 - Special Meeting Minutes
 - D) July 17, 2017 - Code SMTX Workshop Minutes
 - E) July 18, 2017 - Regular Meeting Minutes
- 4. Consider approval of Ordinance 2017-36, on the second of two readings, amending various sections of Subpart B, Land Development Code, of the City's Code of Ordinances to clarify the applicability of Neighborhood Character Studies to various requests and determinations under such Code; providing a savings clause; providing for

the repeal of any conflicting provisions; and providing an effective date.

5. Consider approval Ordinance 2017-37, on the second of two readings, amending the Rental Nuisance Abatement Code Standards contained in Chapter 34, Article 7 of the City's Code of Ordinances to establish regulations and registration requirements for Home Share Rentals (formerly known as Short Term Rentals) of property for periods of less than 30 days, together with corresponding amendments to Chapter 4 of the Land Development Code, Subpart B of the City's Code of Ordinances to establish Home Share Rentals as a new land use, subject to the requirements of Chapter 34; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
6. Consider approval of Resolution 2017-114R approving the terms and conditions of a Joint Election Agreement between the City of San Marcos and Hays County for the holding of a Joint Election on November 7, 2017, and any Runoff Election that may be necessary; authorizing the Interim City Manager to execute the agreement on behalf of the City; authorizing the Interim City Manager and City Clerk to negotiate minor revisions to this agreement; and declaring an effective date.
7. Consider approval of Resolution 2017-115R approving an Election Services Agreement with the Hays County Election Administrator, for her provision of Election Services for the City's General and Special Election to be held on November 7, 2017 and, if necessary, a Runoff Election to be held in accordance with State Law; Authorizing the Interim City Manager to execute this agreement on behalf of the City; and declaring an effective date.
8. Consider approval of Resolution 2017-116R, approving an Interlocal Cooperation Agreement with the City of Frisco, Texas for a Cooperative Purchasing Program; authorizing the Interim City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.
9. Consider approval of Resolution 2017-117R, approving a professional consulting services agreement to AECOM Technical Services, Inc. for the provision of Community Development Block Grant Disaster Recovery Housing Case Management and Pre-Construction Services (Owner Rehabilitation Program) in a not-to-exceed amount of \$642,605; contingent upon the consultants provision of sufficient insurance in accordance with the attached agreement; authorizing the Interim City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

PUBLIC HEARINGS - 7:00 PM

10. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2017-38, annexing into the City approximately 100 acres of land out of the Joel Miner Survey located at the Southwest Corner of Yarrington Road and Harris Hill Road in connection with the Whisper Development Project; approving a service plan for this area; including procedural provisions; providing for an effective date; and consider approval of Ordinance 2017-38, on the first of two readings.
11. 7:00PM Receive a Staff presentation and hold the second of two Public Hearings to

receive comments for or against Ordinance 2017-39, approving an amendment to the Preferred Scenario Map of the City's Comprehensive Plan to change the land use designation for approximately 100 acres of land out of the Joel Minor Survey, located at the southwest corner of Yarrington Road and Harris Hill Road from an Area of Stability to Employment Center in connection with the Whisper Development Project; including procedural provision; providing an effective date; and consider approval of Ordinance 2017-39, on the first of two readings.

12. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2017-40, amending the Official Zoning Map of the City by rezoning 706 acres of land, more or less, out of the Joel Minor Survey and located at the Southeast Corner of IH-35 and Yarrington Road, known as the "Whisper" Development Project, from "FD" Future Development District and "GC" General Commercial District to "MU" Mixed Use District, "VMU" Vertical Mixed Use District and "HC" Heavy Commercial District, with an Overlay District of "PDD" Planned Development District; approving standards for said planned development district; including procedural provisions; and providing for penalties; and consider approval of Ordinance 2017-40, on the first of two reading.
13. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2017-41, An amendment to the City's Official Zoning Map rezoning 0.11 acres of land, more or less, being a portion of lot 5, block 2, Dan McKie's Second Addition, Hays County, Texas, located at Lee Street from "T5" Urban Center to "SF-6" Single-Family District., and including procedural provisions; and consider approval of Ordinance 2017-41, on the first of two readings.
14. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2017-118R, approving the Substantial Amendment No. 3 to the Community Development Block Grant - Disaster Recovery Action Plan, and: authorizing the City Manager or his designee to act as the official representative of the City in matters related to the Community Development Block Grant - Disaster Recovery Action Plan; and declaring an effective date; and consider approval of Resolution 2017-118R.
15. 7:00PM Receive a Staff presentation and hold the first of two Public Hearings to receive comments for or against two requests by Jennifer M. Garcia on behalf of 417 North Comanche Partners, LLC, for approximately 0.212 acres located at 323 Lindsey Street within the J.M. Veramendi Survey Abstract No. 17, regarding the following matters:
 - (a) PSA-17-03 - A Preferred Scenario Amendment from Area of Stability to High Intensity
 - (b) ZC-17-13 - A Zoning Change from Multifamily (MF-24) to T5 Urban Center, SmartCode (Comanche II)

NON-CONSENT AGENDA

16. Consider approval of Ordinance 2017-42, on the first of two readings, amending Section 18.095 of the San Marcos City Code that provides for a variance to allow dogs at food establishments by adding a requirement for a courtesy meeting with applicants for a variance, requiring training for food establishment employees regarding the

Ordinance and the terms of any variance granted, modifying the requirements for signage and the standards for cleaning and sanitation at food establishments that allow dogs; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

17. Consider approval of Ordinance 2017-43, on the first of two readings, amending Ordinance 2017-05 which adopted a schedule of fees to be charged by the City for various City Services, by adding a new fee for the registration of Home Share Rentals (formerly known as Short Term Rentals); providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
18. Consider approval of Resolution 2017-119R, approving a third addendum to the Chapter 380 Economic Development Incentive Agreement with Humpty Dumpty SSM, Ltd. in connection with the redevelopment of Springtown Shopping Center, which amends the agreement by providing waivers of certain exterior building material and design standards for the Vertical Mixed Use (VMU) portion of the development and allowing certain development waivers to extend beyond the term of the agreement; authorizing the Interim City Manager to execute the third addendum; and declaring an effective date.
19. Consider approval of Resolution 2017-120R, directing publication of Notice of Intention to issue Certificates of Obligation in the amount of approximately \$34,700,000.00 (1) constructing, improving, extending and expanding City streets, bridges, sidewalks, bike lanes, pedestrian lanes, bus stops, parking, and related traffic improvements including acquiring any necessary rights-of-way and equipment; (2) constructing, improving and extending the City's water and waste water system including acquiring equipment; (3) constructing, improving and extending the City's Electric Utility System including acquiring equipment; (4) constructing, improving and designing existing municipal buildings to include the Activity Center, City Hall, Library, Public/Community Services Building and related equipment purchases; (5) constructing, designing, equipping and renovating City Parking Facilities; (6) constructing and improving the City's Drainage and Flood Control Facilities; (7) constructing and improving the City's airport; (8) constructing, designing, equipping and renovating Public Safety Facilities to include Police and Fire Station Improvements and equipment purchases; (9) replacing, improving, and developing the Disaster Recovery Infrastructure and Network Infrastructure equipment and other matters related thereto.
20. Discuss and consider an appointment to fill a vacancy on the Convention and Visitor Bureau Board and San Marcos Commission on Children and Youth, and provide direction to Staff.
21. Receive a Staff presentation and hold discussion regarding the preliminary Fiscal Year 2017-2018 Budget, and provide direction to Staff.

VI. Question and Answer Session with Press and Public.

VII. Adjournment.

POSTED ON THURSDAY, JULY 27, 2017 @ 10:00AM

JAMIE LEE CASE, TRMC, CITY CLERK

Notice of Assistance at the Public Meetings

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